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IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

Case No. 08-3670S-BJH-11
Obambau 11
Chapter 11
Adversary No. 09-03249-bjh

PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO RULE 41 (a)(1)(A)(i), F.R.C.P.

TO THE HONORABLE BARBARA J. HOUSER, UNITED STATES BANKRUPTCY JUDGE:

Aviation Parts Supply, LLC ("APS"), by and through its undersigned counsel, files this Notice of Dismissal pursuant to Rule 41 (a)(1)(A)(i) and would show as follows:

I.

Status

- 1. The above Adversary Proceeding was filed on August 4, 2009.
- 2. Defendant Thielert Aircraft Engines GmbH waived service of summons pursuant to Rule 4(d), F.R.C.P., but has not filed an answer at this time.
- 3. Defendant Thielert AG has not responded to a request for waiver of service of summons and has not filed an answer at this time.

II.

Notice

4. APS files this Notice of Dismissal to voluntarily dismiss this Adversary Proceeding. *Marques v. Federal Reserve Bank*, 286 F.3d 1014, 1017 (7th Cir. 2002); *Williams v. Clarke*, 82 F.3d 270, 272 (8th Cir. 1996).

DATED: September 9, 2009 Dallas, Texas

Respectfully submitted,

By: /s/ Kevin H. Good

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Attorneys for Aviation Parts Supply, Inc.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that on the 10th day of September, 2009, a true and correct copy of the foregoing was served via e-mail and regular first-class U.S. mail, postage prepaid, on Chester B. Salomon, Esq., Becker, Glynn, Melamed & Muffly LLP, 299 Park Avenue, 16th Floor, New York, New York 10171, counsel for TAG, and Dan Winikka, Jones Day 2727 North Harwood Street, Dallas, Texas 75201 and Cynthia Cole, Esq., Beirne Maynard & Parsons, LLP, 1700 Pacific Avenue, Suite 4400, Dallas, TX 75201, counsel for TAE, and via e-mail to Stephen Roberts, Esq., counsel for the Debtor, and Dave Parham, Esq., counsel for the Unsecured Creditors' Committee.

/s/Kevin H. Good Kevin H. Good